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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/848,437	05/04/2001	Tim W. Blair	1531.015000H	7818

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MILDE & HOFFBERG  
10 BANK STREET  
SUITE 460  
WHITE PLAINS, NY 10606

EXAMINER

PHAM, KHANH B

ART UNIT	PAPER NUMBER
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2177

14

DATE MAILED: 06/14/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/848,437

Applicant(s)

BLAIR ET AL.

Examiner

Khanh B. Pham

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 05 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☒ Claim(s) 15 and 20 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- |                                                                                                                        |                                                                                         |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                                                       | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____                                                |

## **DETAILED ACTION**

### ***Claim Objections***

1. **Claims 15, 20 are objected** to because of the following informalities:
  - In claim 15, the meaning of the phrase “searching members a first set of document” is unclear. The examiner presumes the phrase should have read: “searching members **of** a first set of document”.
  - In claim 20, the meaning of the phrase “wherein clustering analysis of documents within the second set of documents” is unclear. The examiner presumes the phrase should have read: “for clustering analysis of document within the second set of documents”.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. **Claims 1-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Unger et al. (US 5,721,910), hereinafter referred to as “Unger”.**

**As per claim 1**, Unger teaches a computer-implemented method of enabling a user to organize and analyze information in electronic form, comprising the steps of:

- (1) “searching a first set of documents to thereby generate a second set of documents” at Col. 3 lines 9-17;
- (2) “automatically creating a first group comprising said second set of documents” at Col. 3 lines 9-17;
- (3) “analyzing said first group according to one or more analytical functions to thereby generate a third set of documents” at Col. 5 line 50 to Col. 6 line 15 ;
- (4) “automatically creating a second group comprising said third set of documents” at Col. 6 lines 5-15; and
- (5) “enabling selective iteration of at least one of steps (1)-(4)” at Col. 8 lines 50-62.

**As per claim 2**, Unger teaches the method of claim 1, further comprising the step of: “enabling the user to make at least one of said first group and said second group a permanent group” at Col. 3 lines 10-20.

**As per claim 3**, Unger teaches the method of claim 1, wherein “step (1) comprises the step of: performing a cluster analysis over said first set of documents to create a hierarchical arrangement of groups containing said first set of documents” at Col. 5 lines 15-50.

**As per claim 4**, Unger teaches the method of claim 1, further comprising the step of: "(i) performing a relevancy visualization analysis over at least one of said first group and said second group to identify how documents contained therein are inter-related with respect to key terms" at Figs. 10A-B.

**As per claim 5**, Unger teaches the method of claim 4, wherein "step (i) operates according to a rule book" at Col. 5 lines 15-50.

**As per claim 6**, Unger teaches the method of claim 5, wherein "said rule book comprises patent specific rules" at Col. 5 lines 15-50.

**As per claim 7**, Unger teaches the method of claim 1, further comprising the step of: "generating objects corresponding to process components of a work flow represented by at least steps (1)-(4)" at Col. 5 line 50 to Col. 6 line 20.

**As per claim 8**, Unger teaches the method of claim 7, wherein "step (i) comprises: generating said objects using object definitions" at Col. 8 lines 30-50.

**As per claim 9**, Unger teaches the method of claim 8, wherein "said object definitions comprise at least one of: a boolean operation object definition; a corporate family operating object definition; an export object definition; a folder object definition; an import object definition; a list exploder operation object definition; a list object definition; a query object definition; and a patent family dedupe object definition" at Col. 8 lines 30-50.

**As per claim 10**, Unger teaches the method of claim 7, further comprising the step of: “enabling a user to save one or more of said objects” at Col. 7 lines 25-40.

**As per claim 11**, Unger teaches the method of claim 7, further comprising: “enabling a user to re-execute said workflow by traversing said objects” at Col. 7 lines 25-40.

**As per claim 12**, Unger teaches the method of claim 7, further comprising: “enabling a user to create a new work flow by modifying said objects” at Col. 8 lines 50-65.

**As per claim 13**, Unger teaches the method of claim 1, further comprising the step of: “enabling a user to annotate at least one of said first group, said second group, and any portion of any document contained in said first group or said second group” at Col. 4 lines 47-57.

**As per claim 14**, Unger teaches the method of claim 1, wherein “said first set of documents is from at least one of a database, an external source, and over the Internet” at Col. 5 lines 3-6.

**As per claim 15**, Unger teaches a computer-implemented method of enabling a user to organize and analyze information in electronic form, comprising the steps of:

- (1) “searching members a first set of documents to thereby generate a second set of documents” at Col. 3 lines 9-17;

- (2) “automatically creating a first group comprising said second set of documents” at Col. 3 lines 9-17;
- (3) “analyzing said first group according to one or more analytical functions executed with respect to information stored in an external database, distinct from said first and second sets of documents, to thereby generate a third set of documents” at Col. 5 lines 15-50 ;
- (4) “automatically creating a second group comprising said third set of documents” at Col. 6 lines 5-15; and
- (5) “enabling selective iteration of at least one of steps (1)-(4)” at Col. 8 lines 50-63.

**As per claim 16**, Unger teaches the method of claim 15, wherein “said external database comprises a bibliographic information database” at Col. 5 lines 15-50.

**As per claim 17**, Unger teaches the method of claim 15, wherein “said external database comprises a bibliographic information database” at Col. 4 lines 44-52.

**As per claim 18**, Unger teaches the method of claim 15, wherein “said external database comprises a group information database, said method further comprising defining a group membership information, and storing the group membership information in the group information database” at Col. 4 lines 44-53.

**As per claim 19**, Unger teaches the method of claim 15, wherein "said one or more analytical functions comprises a clustering analysis of documents within the second set of document" at Col. 5 lines 15-50.

**As per claim 20**, Unger teaches the method of claim 15, wherein "said one or more analytical functions comprises a user-interactive relevancy visualization tool for clustering analysis of document within the second set of documents" at Col. 8 lines 50-63 and Figs 2-4.

### ***Response to Arguments***

4. Applicant's arguments, see pages 7-8 of the amendment, filed 3/5/2004, with respect to the 102(b) rejection based on Unger reference have been fully considered and are persuasive. The 102(b) rejection of claims 1-15 based on Unger has been withdrawn. However, the Unger reference is still a valid reference under 102(e), therefore, the 102(e) rejection based on Unger to claims 1-20 has been applied in this Office Action, see section 3 above.

### ***Conclusion***

5. The prior art made of record, listed on form PTO-892, and not relied upon, if any, is considered pertinent to applicant's disclosure.

If a reference indicated as being mailed on PTO-FORM 892 has not been enclosed in this action, please contact Lisa Craney whose telephone number is **(703) 305-9601** for faster service.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khanh B. Pham whose telephone number is (703) 308-



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7299. The examiner can normally be reached on Monday through Friday 7:30am to 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E Breene can be reached on (703) 305-9790. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Khanh B. Pham  
Examiner  
Art Unit 2177

KBP  
Jun 11, 2004

  
**SRIPAMA CHATTERJAYA**  
**PRIMARY EXAMINER**